

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GARY KIRCHNER,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:24 CV 660 CDP
)	
1041 TAYLOR, LLC,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before me on plaintiff's "motion for substituted service."

ECF 3. Plaintiff seeks an order deeming his documented attempts to obtain service on defendant sufficient service under Mo. Rev. Stat. § 506.160. The motion is denied as plaintiff's claims against the defendant landowner for alleged violations of the Americans with Disabilities Act are not the type of claims to which Mo. Rev. Stat. § 506.160 applies. That the alleged ADA violations occurred on real property does not convert this case into one "affecting specific property, or any interest therein." Mo. Rev. Stat. § 506.160(1). Nor does plaintiff's motion indicate that plaintiff has properly sought to obtain service in accordance with Federal Rule of Civil Procedure 4(h) through repeated attempts to personally serve one of defendant's members as opposed to defendant's registered

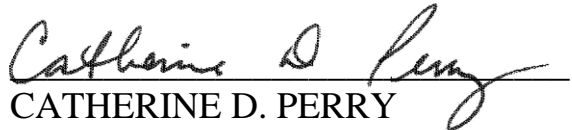
agent or an officer or managing or general agent.

The Court will grant plaintiff an extension of time, up to and including December 31, 2024, to obtain service upon defendant.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for substituted service [ECF 3] is denied.

IT IS FURTHER ORDERED that plaintiff is granted an extension of time, up to and including December 31, 2024, to serve defendant.


CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 18th day of October, 2024.